

JAN 22 2015

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# A BILL FOR AN ACT

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RELATING TO NUISANCE ABATEMENT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that part V of chapter  
2       712, Hawaii Revised Statutes, authorizes civil lawsuits to abate  
3       criminal offenses relating to prostitution or the display of  
4       indecent matter, illegal manufacture or distribution of drugs,  
5       and certain fireworks offenses, which include every category of  
6       offenses against public health and morals under chapter 712,  
7       Hawaii Revised Statutes, except the gambling offenses under part  
8       III of that chapter. The legislature further finds that illegal  
9       gambling often attracts activity that involves physical violence  
10      and the distribution of narcotics and is therefore an  
11      appropriate subject of nuisance abatement. Further, the  
12      addition of gambling offenses to the nuisance abatement laws  
13      would authorize law enforcement to pursue civil remedies to  
14      bolster the enforcement of the gambling prohibitions found in  
15      part III of chapter 712, Hawaii Revised Statutes.



1       The purpose of this Act is to promote the enforcement of  
2 gambling offenses through their inclusion in the nuisance  
3 abatement laws.

4       SECTION 2. Section 712-1270, Hawaii Revised Statutes, is  
5 amended to read as follows:

6       "**§712-1270 Places used to commit offenses against public**  
7 **health and morals, a nuisance.** Every building, premises, or  
8 place used for the purpose of violating:

9       (1) Those laws pertaining to offenses against public  
10 health and morals contained in ~~[parts I, II, and IV~~  
11 ~~of]~~ this chapter, except offenses under part IV  
12 ~~[which]~~ that do not involve the manufacture or  
13 distribution of drugs; or

14       (2) Section 132D-14(a)(1) or (3),  
15 and every building, premises, or place in or upon which ~~[the]~~  
16 violations of any of the laws set forth in paragraphs (1) or (2)  
17 ~~are held or occur [in parts I, II, and IV, or section 132D-~~  
18 ~~14(a)(1) or (3)]~~, is a nuisance that shall be enjoined, abated,  
19 and prevented, regardless of whether it is a public or private  
20 nuisance."



# S.B. NO. 148

1        SECTION 3. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4        SECTION 4. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6        SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: ~~SC~~ *SC* *Ench. Age*  
*By Request of Annot. Party*



# S.B. NO. 148

**Report Title:**

Offenses Against Public Health and Morals; Nuisance Abatement;  
Gambling

**Description:**

Includes gambling among the types of offenses that are subject  
to the nuisance abatement laws.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

